

***In re Juul Labs, Inc., Marketing, Sales Practices, & Prods. Liab. Litig.*, MDL No. 2913
Update On Matters Of Significance In Related Actions (CMO No. 9 at 3)¹**

1. State Attorney General Cases

Case Name: *State of Alaska v. Juul Labs, Inc. f/k/a PAX Labs, Inc., Altria Group, Inc., Altria Client Services LLC, Altria Group Distribution Company, Nu Mark LLC, and Nu Mark Innovations, Ltd.*

Case Number: 3AN-20-09477CI

Jurisdiction: Superior Court of Alaska, Third Judicial District at Anchorage

Judge/Magistrate: Hon. Yvonne Lamoureux

Plaintiffs: State of Alaska

Defendants:² Juul Labs, Inc., Altria Group, Inc., Altria Client Services LLC, Altria Group Distribution Company, Nu Mark LLC, and Nu Mark Innovations, Ltd.

Pending Motions: Juul Labs, Inc.'s Motion to Dismiss

Hearing Date(s): N/A

Case Schedule:

- 4/23/2021: AG Opposition to MTD
- 5/24/2021: Replies in support of MTD

Trial Date: N/A

Case Name: *State of Arizona, ex rel. Mark Brnovich, Attorney General v. Juul Labs, Inc.*

Case Number: CV2020-000317

Jurisdiction: Superior Court of Arizona, Maricopa County

Judge/Magistrate: Hon. Daniel Martin

Plaintiffs: State of Arizona, ex rel. Mark Brnovich

Defendants: Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule: N/A

Trial Date: N/A

Case Name: *The People of the State of California v. Juul Labs, Inc., PAX Labs, Inc. and Does 1-100, Inclusive*

Case Number: RG19043543

Jurisdiction: Superior Court of CA, County of Alameda

Judge/Magistrate: Hon. Stephen Kaus

Plaintiffs: The People of the State of California (Xavier Becerra)

Defendants: Juul Labs, Inc., Pax Labs, Inc., and Does 1-100, inclusive

Pending Motions: N/A

¹ Pursuant to CMO No. 9, this outline reflects Juul Labs, Inc.'s reasonable efforts to identify matters of significance in pending litigation in "Related Actions," as defined in CMO No. 9. This outline does not include matters that have been tagged and transferred to the MDL (through a Conditional Transfer Order or Final Transfer Order).

² For all cases listed herein, the "Defendants" listed are the entities identified as Defendants in the corresponding complaint or complaints.

Hearing Date(s): 4/20/2021: Case Management Conference; 6/22/2021: Case Management Conference; 7/13/2022: Final Date for Hearings on Motions for Summary Judgment/Adjudication; 9/2/2022: Mandatory Settlement Conference; 9/30/2022: Pretrial Readiness Conference

Case Schedule:

- 4/20/2021: Case Management Conference
- 6/22/2021: Case Management Conference
- 11/15/2021: Fact Discovery Cutoff
- 1/10/2022: Expert Cutoff
- 1/31/2022: Supplemental Expert Cutoff
- 3/28/2022: Motions for Summary Judgment/Adjudication
- 7/13/2022: Final date for hearings on Motion for Summary Judgment/Adjudication
- 9/2/2022: Mandatory Settlement Conference
- 9/30/2022: Pretrial Readiness Conference

Trial Date: 10/7/2022

Case Name: *State of Colorado, ex rel. Philip J. Weiser, Attorney General v. Juul Labs, Inc.*

Case Number: 2020CV32283

Jurisdiction: District Court, County of Denver

Judge/Magistrate: Hon. John Elliff

Plaintiffs: State of Colorado, ex rel. Philip J. Weiser, Attorney General

Defendants: Juul Labs, Inc.

Pending Motions: N/A (Motion to Dismiss granted in part, dismissing public nuisance action with prejudice, on December 14, 2020)

Hearing Date(s): N/A

Case Schedule:

- 7/13/2021: Deadline for counterclaim or setoff
- 8/17/2021: Deadline to Amend or Supplement Pleadings, Joinder, or Identify Non-Parties at Fault
- 10/24/2022: Deadline for Plaintiff's Expert Disclosures
- 11/21/2022: Deadline for Defendant's Expert Disclosures
- 11/28/2022: Deadline for Summary Judgement
- 12/9/2022: Mediation
- 12/26/2022: Deadline for *Shreck* Motions
- 1/6/2023: Deadline for CRE 702 Motions Challenging Expert Testimony
- 1/9/2023: Discovery Cutoff
- 1/23/2023: Deadline for pretrial motions (except under C.R.C.P. 56 and C.R.E. 702), and for *in limine* Motions to be Ruled on Before Trial
- 1/30/2023: Trial Management Order
- 2/13/2023: Deadline for Trial Briefs
- 2/27/2023: Pretrial Conference

Trial Date: 2/27/2023

Case Name: *District of Columbia v. Juul Labs, Inc.*

Case Number: 2019CA007795B

Jurisdiction: Superior Court for the District of Columbia

Judge/Magistrate: Hon. Todd Edelman (transferred from Hon. Kelly Higashi)

Plaintiffs: District of Columbia (Karl A. Racine)

Defendants: Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): 4/15/2022: Pre-Trial Conference

Case Schedule:

- 6/16/2021: Close of Fact Discovery
- 8/17/2021: Deadline for Proponent's Rule 26(a)(2)(B) Report
- 10/18/2021: Deadline for Opponent's Rule 26(a)(2)(B) Report
- 12/17/2021: Close of Expert Discovery
- 2/15/2022: Motions Deadline (not applicable to discovery-related motions or motions respecting the conduct of the trial)
- 4/1/2022: ADR Mediation Case Evaluation
- 4/15/2022: Pre-Trial Conference

Trial Date: N/A

Case Name: *State of Hawai'i v. Juul Labs, Inc., previously d/b/a PAX Labs, Inc. and Ploom Inc., Altria Group, Inc., Philip Morris USA, Inc., Altria Client Services LLC, Altria Group Distribution Company, Adam Bowen, James Monsees, Nicholas Pritzker, Hoyoung Huh, Riaz Valani, Altria Doe Defendants 1-20, and Does 1-60*

Case Number: 1CCV-20-0000933

Jurisdiction: Circuit Court of the 1st Circuit, State of Hawai'i

Judge/Magistrate: Hon. Dean E. Ochiai

Plaintiffs: State of Hawai'i

Defendants: Juul Labs, Inc., Altria Group, Inc., Philip Morris USA, Inc., Altria Client Services LLC, Altria Group Distribution Company, Adam Bowen, James Monsees, Nicholas Pritzker, Hoyoung Huh, Riaz Valani, Altria Doe Defendants 1-20, and Does 1-60

Pending Motions: Defendants' Motions to Dismiss

Hearing Date(s): 4/22/2021: Status Conference and Hearing on Motions to Dismiss

Case Schedule:

- 8/26/2021: Deadline for AG to File Pretrial Statement

Trial Date: N/A

Case Name: *The People of the State of Illinois v. Juul Labs, Inc.*

Case Number: 19CH14302

Jurisdiction: Circuit Court of Cook County

Judge/Magistrate: Hon. Cecilia A. Horan

Plaintiffs: The People of the State of Illinois (Kwame Raoul)

Defendants: Juul Labs, Inc.

Pending Motions: Juul Labs, Inc.'s Motion to Dismiss or Stay the Proceeding

Hearing Date(s): 4/9/2021: Status Hearing

Case Schedule: N/A

Trial Date: N/A

Case Name: *Commonwealth of Massachusetts v. Juul Labs, Inc.*

Case Number: 2084CV00402

Jurisdiction: Superior Court for the Commonwealth of Massachusetts, County of Suffolk

Judge/Magistrate: Hon. Janet L. Sanders

Plaintiffs: Commonwealth of Massachusetts (Maura Healy)

Defendants: Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): 6/1/2021: Discovery Conference; 2/28/2023: Pre-Trial Conference

Case Schedule:

- 6/1/2021: Rule 16 Discovery Conference
- 3/18/2022: Fact Discovery Cutoff
- 5/13/2022 AG Expert Witness Disclosures
- 7/22/2022 JLI Expert Witness Disclosures
- 8/26/2022: Expert Discovery Cutoff (Pltf. Rebuttal Experts)
- 10/21/2022: Expert Depositions Deadline
- 11/18/2022: Motions for Summary Judgment Deadline
- 2/28/2023: Pretrial Conference

Trial Date: 3/20/2023

Case Name: *State of Minnesota, by its Attorney General, Keith Ellison v. Juul Labs, Inc., a Delaware Corporation f/k/a Pax Labs, Inc. f/k/a Ploom Products, Inc.; Altria Group, Inc. f/k/a Philip Morris Companies, Inc.; Philip Morris USA Inc. f/k/a Philip Morris Inc.; Altria Client Services LLC; Altria Group Distribution Company; Altria Enterprises LLC*

Case Number: 27-CV-19-19888

Jurisdiction: 4th Judicial District Court of Hennepin County

Judge/Magistrate: Hon. Laurie J. Miller

Plaintiffs: State of Minnesota, by its Attorney General, Keith Ellison

Defendants: Juul Labs, Inc.; Altria Group, Inc.; Philip Morris USA Inc.; Altria Client Services LLC; Altria Group Distribution Company; Altria Enterprises LLC

Pending Motions: Defendants' Motions to Dismiss

Hearing Date(s): N/A

Case Schedule:

- 9/1/2021: Fact Discovery Cutoff
- 10/15/2021: Plaintiff Expert IROG Answers, Disclosures, and Reports to be Completed
- 12/1/2021: Defendant IME's, Expert IROG Answers, Disclosures, and Reports (Expert Cutoff)
- 12/6/2021: Begin Expert Witness Depositions
- 1/28/2022: Expert Witness Depositions to be Completed
- 3/31/2022: Dispositive Motions
- 5/31/2022: ADR Completion

Trial Date: 6/30/2022

Case Name: *State of Mississippi, ex rel. Lynn Fitch, Attorney General for the State of Mississippi v. Juul Labs, Inc.*

Case Number: 25CH1:19-cv-01553

Jurisdiction: Chancery Court of Hinds County, Mississippi

Judge/Magistrate: Hon. Crystal Wise Martin

Plaintiffs: State of Mississippi, ex rel. Lynn Finch, Attorney General for the State of Mississippi

Defendants: Juul Labs, Inc.

Pending Motions: Juul Labs, Inc.'s Motion to Dismiss

Hearing Date(s): N/A

Case Schedule: N/A

Trial Date: N/A

Case Name: *State of New Mexico, ex rel. Hector H. Balderas, Attorney General v. Juul Labs, Inc.*

Case Number: D-101-CV-202001033

Jurisdiction: 1st Judicial District, County of Santa Fe

Judge/Magistrate: Hon. Kathleen McGarry Ellenwood

Plaintiffs: State of New Mexico, ex rel. Hector H. Balderas

Defendants: Juul Labs, Inc.

Pending Motions: Juul Labs, Inc.'s Motion to Dismiss

Hearing Date(s): 6/22/2021: Hearing re MTD Counts Three and Four of Plaintiff's Amended Complaint

Case Schedule: N/A

Trial Date: N/A

Case Name: *The People of the State of New York, by Letitia James, Attorney General of the State of New York v. Juul Labs, Inc.*³

Case Number: 452168/2019

Jurisdiction: Supreme Court of New York, County of New York

Judge/Magistrate: Hon. O. Peter Sherwood (recently retired, new assignment pending)

Plaintiffs: The People of the State of New York, by Letitia James

Defendants: Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule:⁴

- 11/5/2021: Fact Discovery Cutoff
- 12/17/2021: AG Expert Disclosures
- 1/28/2022: Defendants' Expert Disclosures
- 3/25/2021: Expert Discovery Cutoff
- 4/8/2022: Last Day to Serve Requests for Admission
- 5/13/2022: All Discovery Cutoff

³ The NY AG has filed an Amended Complaint, adding James Monsees, Adam Bowen, Nicholas Pritzker, Riaz Valani, and Hoyoung Huh as defendants.

⁴ The parties have stipulated to these dates and are awaiting the court's entry.

- 5/27/2022: Note of Issue
- 7/1/2022: Dispositive Motions Cutoff

Trial Date: 2023

Case Name: *State of North Carolina, ex rel. Joshua H. Stein, Attorney General v. Juul Labs, Inc.*

Case Number: 19CVS2885

Jurisdiction: Superior Court Division of North Carolina, Durham County

Judge/Magistrate: Hon. Orlando F. Hudson, Jr.

Plaintiffs: State of North Carolina, ex rel. Joshua H. Stein

Defendants: Juul Labs, Inc.

Pending Motions: Juul Labs, Inc.'s Motion to Continue Trial Date; Juul Labs, Inc.'s Motion to Compel Production of Withheld Documents from NC DHHS

Hearing Date(s): 3/26/2021: Hearing re Motion to Continue Trial Date

Case Schedule:

- 3/29/2021: Deadline for NC's Rebuttal Expert Disclosures
- 4/9/2021: Mediation Deadline
- 4/12/2021: Discovery Cutoff
- 4/16/2021: Daubert Motions
- 4/16/2021: Deadline to Depose NC's Rebuttal Experts
- 4/26/2021: Deadline for Hearing Motions to Limit or Exclude Expert Testimony
- 5/3/2021: Dispositive Motions
- 5/10/2021: Motions *in limine*, jury instruction, exhibit lists, and deposition designations
- 5/17/2021: Deadline for Responses to Dispositive Motions

Trial Date: 5/24/2021

Case Name: *Commonwealth of Pennsylvania by Josh Shapiro, in his official capacity as Attorney General of the Commonwealth of Pennsylvania v. Juul Labs, Inc.*

Case Number: 200200962

Jurisdiction: Court of Common Pleas of Philadelphia County

Judge/Magistrate: Hon. Arnold L. New

Plaintiffs: Commonwealth of Pennsylvania by Josh Shapiro, in his official capacity as Attorney General of the Commonwealth of Pennsylvania

Defendants: Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule:

- 12/6/2021: Fact Discovery Cutoff
- 1/3/2022: State Expert Cutoff
- 2/7/2022: JLI Expert Cutoff
- 2/7/2022: Deadline for Pretrial Motions
- 3/7/2022: Projected Settlement Conference Date
- 5/2/2022: Pre-Trial Conference Date

Trial Date (projected): 6/6/2022

Case Name: *State of Washington v. Juul Labs, Inc.; Pax Labs, Inc.*

Case Number: 20-2-13366-3

Jurisdiction: Superior Court of Washington, King County

Judge/Magistrate: Hon. Douglas North

Plaintiffs: State of Washington (Robert Ferguson)

Defendants: Juul Labs, Inc.; Pax Labs, Inc.

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule:⁵

- 3/23/2021: JLI Answer to Complaint
- 7/9/2021: Deadline for Disclosure of Possible Primary Witnesses
- 9/24/2021: Deadline for Disclosure of Possible Additional Witnesses
- 11/19/2021: Deadline for Discovery Cutoff
- 12/17/2021: Deadline for Expert Disclosures
- 2/25/2022: Deadline for Rebuttal Expert Disclosures
- 3/11/2022: Deadline for Jury Demand; Deadline for a Change in Trial Date
- 4/29/2022: Expert Discovery Deadline
- 6/3/2022: Deadline to File Dispositive Motions
- 6/17/2022: Deadline to File Responsive Briefs to Dispositive Motions
- 6/24/2022: Deadline to File Reply Briefs to Dispositive Motions
- 7/1/2022: Deadline for Hearing Dispositive Pretrial Motions
- 7/15/2022: Deadline for Engaging in Alternative Dispute Resolution
- 8/5/2022: Deadline for ER 904 notice, Motions in Limine, exchange of witness and exhibits lists, and joint confirmation of trial readiness
- 8/19/2022: Deadline to file Joint Statement of Evidence, Trial Briefs, Proposed Findings of Fact and Conclusions of Law, and Jury Instructions

Trial Date: 9/9/2022

2. In re Juul Labs, Inc. Antitrust Litigation

Case Name: *Douglas J. Reece, on his own behalf and all others similarly situated v. Altria Group, Inc. and Juul Labs, Inc.*

Case Number: 3:20-cv-02345

Jurisdiction: N.D. California

Judge/Magistrate: Hon. William H. Orrick

Plaintiffs: Douglas J. Reece, on his own behalf and all others similarly situated

Defendants: Altria Group, Inc. and Juul Labs, Inc.

Consolidated Complaints: Direct Purchaser Pltf. Consolidated Class Action Complaint; Indirect Purchaser Pltfs. Consolidated Class Action Complaint; Indirect Reseller Pltfs. Consolidated Class Action Complaint

Pending Motions: N/A

Hearing Date(s): 4/21/2021: Further CMC and Motion to Dismiss Hearing

⁵ The parties have stipulated to these dates and are awaiting the court's entry.

Case Schedule:

- 3/31/2021: Deadline to File Replies ISO MTDs and Motion to Compel Arb.
- 4/14/2021: Deadline for Case Management Statement

Trial Date: N/A

Related Cases:

- *B&C Retail, Inc., individually and on behalf of all others similarly situated v. Altria Group, Inc., Altria Enterprises LLC, and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-03868)*
- *Irwindale Fuel Station, Inc., a California Corporation, v. Altria Group, Inc., Altria Enterprises LLC, and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-04736)*
- *Daraka Larimore, Adam Matschullat and Keith May, individually and on behalf of all others similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-02999)*
- *Sofijon, Inc., Rose and Fifth, Inc., and Napht, Inc. v. Juul Labs, Inc.; Altria Enterprises LLC; and Altria Group, Inc. (N.D. CA, No. 3:20-cv-03861)*
- *Noor Baig, Inc., individually and on behalf of all others similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-03867)*
- *Mallory Flannery v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-02891)*
- *Brent Jackson, individually and on behalf of all others similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-04238)*
- *Kerry Walsh and Allison Harrod, individually and on behalf of all other persons similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-03183)*
- *Somerset Party Store Inc., individually and on behalf of all others similarly situated v. Altria Group, Inc., Altria Enterprises LLC, and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-04073)*
- *Jessica McGee, individually and on behalf of all others similarly situated v. Altria Group, Inc., Altria Enterprises LLC, and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-04413)*
- *Aaron Licari, on his own behalf and all others similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-02778)*
- *Anthony Martinez, individual and representative plaintiff v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-02597)*
- *Benjamin Deadwyler, individual and representative v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-02729)*
- *Denise Redfield and Albert Riccelli, individually and on behalf of all other persons similarly situated v. Altria Group, Inc. and Juul Labs, Inc. (N.D. CA, No. 3:20-cv-03288)*

3. Securities Litigation

Case Name: *Gabby Klein, individually and on behalf of all others similarly situated, v. Altria Group, Inc., Howard A. Willard III, William F. Gifford, Jr., Juul Labs, Inc., Adam Bowen, James Monsees, Kevin Burns, and K.C. Crosthwaite*

Case Number: 3:20-cv-00075

Jurisdiction: E.D. Virginia

Judge/Magistrate: Hon. David J. Novak

Plaintiffs: Gabby Klein, individually and on behalf of all others similarly situated, Construction Laborers Pension Trust of Greater St. Louis, Donald Sherbondy, Sarah Sherbondy (Plaintiffs);

Patrick F. Cipolla, Richard E. Pernisi, Jonathan Selsley, Local 705 International Brotherhood of Teamsters Pension Fund (Movants)

Defendants: Juul Labs, Inc., Adam Bowen, James Monsees, Kevin Burns, K.C. Crosthwaite, Altria Group, Inc., Howard A. Willard III, and William F. Gifford, Jr.

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule:

- 4/13/21: Status call with Judge Novak regarding case schedule going forward
- 4/16/21: Deadline for Defendants to file an Answer to Plaintiffs' Corrected Consolidated Class Action Complaint

Trial Date: N/A

4. Derivative Lawsuits

Case Name: *Thomas Sandys, on Behalf of Himself and Derivatively on behalf of the Altria Group, Inc. v. Howard A. Willard III, William F. Gifford, Jr., Kevin C. Crosthwaite, Kevin Burns, Nicholas Pritzker, Riaz Valani, and Juul Labs Inc. (Defendants) v. The Altria Group, Inc. (Nominal Defendant)*

Case Number: 4:20-cv-05480

Jurisdiction: N.D. California

Judge/Magistrate: Hon. Phyllis J. Hamilton

Plaintiffs: Thomas Sandys, on Behalf of Himself and Derivatively on behalf of the Altria Group, Inc. (Plaintiffs); Maria Cecilia Lorca (Movant)

Defendants: Howard A. Willard III, William F. Gifford, Jr., Kevin C. Crosthwaite, Kevin Burns, Nicholas Pritzker, Riaz Valani, and Juul Labs Inc. (Defendants); The Altria Group, Inc. (Nominal Defendant)

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule: On March 22, 2021, the court ordered the consolidation of the *Sandys* and *Lorca* matters and transferred the matters to the Eastern District of Virginia.

Related Case: *Maria Cecilia Lorca, Derivatively on Behalf of Altria Group, Inc. v. William F. Gifford, Jr., Howard A. Willard III, Kevin C. Crosthwaite, Jr., Juul Labs, Inc., Kevin Burns, Riaz Valani, and Nicholas J. Pritzker, Defendants, v. Altria Group, Inc., a Virginia Corporation, Nominal Defendant* (N.D. CA, No. 4:20-cv-06041)

Trial Date: N/A

Case Name: *Eric Gilbert, derivatively on behalf of Altria Group, Inc., vs. William F. Gifford, Jr., Howard A. Willard III, Kevin C. Crosthwaite Jr., John T. Casteen III, Dinyar S. Devitre, Thomas F. Farrell II, Debra J. Kelly-Ennis, W. Leo Kiely III, Kathryn B. McQuade, George Munoz, Mark E. Newman, Nabil Y. Sakkab, Virginia E. Shanks, Adam Bowen, James Monsees, Kevin Burns, and Juul Labs, Inc. v. The Altria Group, Inc. (Nominal Defendant)*

Case Number: No. 3:20-cv-00772

Jurisdiction: E.D. Virginia

Judge/Magistrate: Hon. David J. Novak

Plaintiffs: Eric Gilbert, derivatively on behalf of Altria Group, Inc.

Defendants: William F. Gifford, Jr., Howard A. Willard III, Kevin C. Crosthwaite Jr., John T. Casteen III, Dinyar S. Devitre, Thomas F. Farrell II, Debra J. Kelly-Ennis, W. Leo Kiely III,

Kathryn B. McQuade, George Munoz, Mark E. Newman, Nabil Y. Sakkab, Virginia E. Shanks, Adam Bowen, James Monsees, Kevin Burns, and Juul Labs, Inc. (Defendants); The Altria Group, Inc. (Nominal Defendant)

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule: The parties have agreed to a stay pending the close of fact discovery in the securities litigation, and are negotiating the terms of this stay.

- 4/12/21: Deadline for parties to submit a proposed schedule to the Court regarding the filing of any amended complaint, any responses thereto and the status of the Altria Board's inquiry into the allegations contained in the Plaintiff's demand.

Trial Date: N/A

Case Name: *David Hamilton, derivatively on behalf of Altria Group, Inc., vs. William F. Gifford, Jr., Howard A. Willard III, Kevin C. Crosthwaite Jr., John T. Casteen III, Dinyar S. Devitre, Thomas F. Farrell II, Debra J. Kelly-Ennis, W. Leo Kiely III, Kathryn B. McQuade, George Munoz, Mark E. Newman, Nabil Y. Sakkab, Virginia E. Shanks, Adam Bowen, James Monsees, Kevin Burns, Riaz Valani, Nicholas J. Pritzker and Juul Labs, Inc. v. The Altria Group, Inc. (Nominal Defendant)*

Case Number: No. 3:21-cv-00047

Jurisdiction: E.D. Virginia

Judge/Magistrate: Hon. David J. Novak

Plaintiffs: David Hamilton, derivatively on behalf of Altria Group, Inc.

Defendants: William F. Gifford, Jr., Howard A. Willard III, Kevin C. Crosthwaite Jr., John T. Casteen III, Dinyar S. Devitre, Thomas F. Farrell II, Debra J. Kelly-Ennis, W. Leo Kiely III, Kathryn B. McQuade, George Munoz, Mark E. Newman, Nabil Y. Sakkab, Virginia E. Shanks, Adam Bowen, James Monsees, Kevin Burns, Riaz Valani, Nicholas Pritzker and Juul Labs, Inc. (Defendants); The Altria Group, Inc. (Nominal Defendant)

Pending Motions: N/A

Hearing Date(s): N/A

Case Schedule: The parties have agreed to a stay pending the close of fact discovery in the securities litigation, and are negotiating the terms this stay.

Trial Date: N/A

5. Federal Trade Commission Complaint

Case Name: *In the Matter of Altria Group, Inc. and Juul Labs, Inc.*

Case Number: No. 9393

Jurisdiction: Federal Trade Commission

Administrative Law Judge: D. Michael Chappell

Plaintiffs: N/A

Defendants: Altria Group, Inc.; Juul Labs, Inc.

Pending Motions: N/A

Hearing Date(s): 6/1/2021 Final prehearing conference

Case Schedule:

- 3/26/2021: Complaint counsel to identify rebuttal expert(s) and provide rebuttal expert report(s)

- 3/31/2021: Deadline for depositions of experts
- 4/6/2021: Deadline for depositions of rebuttal experts
- 4/12/2021: Complaint Counsel to provide final proposed exhibit list
- 4/22/2021: Respondents to provide final proposed exhibit list
- 4/22/2021: Deadline to provide notice of intent to offer confidential materials of an opposing party or non-party at the hearing
- 5/3/2021: Deadline for motion for summary decision
- 5/5/2021: Objections to final proposed witness and exhibit lists
- 5/7/2021: Deadline for filing motions for *in camera* treatment of proposed trial exhibits
- 5/10/2021: Deadline for filing motions *in limine*
- 5/14/2021: Complaint Counsel files pretrial brief
- 5/14/2021: Deadline for filings responses to motions for *in camera* treatment of proposed trial exhibits
- 5/17/2021: Deadline for filing responses to motions *in limine*
- 5/21/2021: Exchange of proposed stipulations of law, facts, and authenticity
- 5/28/2021: Agreed stipulations of law, facts, and authenticity, if any
- 6/1/2021: Respondents file pretrial brief
- 6/1/2021: Final prehearing conference

Trial Date: 6/2/2021 Evidentiary Hearing (Max. 210 hours)

6. JCCP

Case Name: *Juul Labs Product Cases*

Case Number: JCCP 5052

Jurisdiction: Superior Court of the State of California, County of Los Angeles

Judge/Magistrate: Hon. Ann I. Jones

Plaintiffs: The People of the State of California et al.

Defendants: Juul Labs, Inc., *et al.*

Pending Motions: N/A

Hearing Date(s): 6/9/2021: Further Status Conference and Hearing on Motions to Dismiss

Case Schedule:

- 3/26/2021: Deadline for any motions to stay or dismiss based on pendency of cases in other courts as to putative class action complaints by any individual defendants re Private Plaintiffs, Arriaza and Montelaro (Second Wave)
- 3/30/2021: Deadline for Oppositions to Demurrers and all Motions by individual defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (First Wave)
- 4/1/2021: Deadline for Replies ISO Demurrers and all Motions by JLI and/or corporate defendants re Private Plaintiffs, Arriaza and Montelaro (First Wave)
- 4/8/2021: Deadline for Oppositions to Demurrers and all Motions by any individual defendants re Private Plaintiffs, Arriaza and Montelaro (First Wave)
- 4/16/2021: Deadline for Oppositions to any motions to stay or motions to dismiss based on the pendency of cases in other courts as to putative class actions complaints by JLI and/or corporate defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (Second Wave)

- 4/19/2021: Deadline for Replies ISO Demurrers and all Motions by JLI and/or the Altria Defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (First Wave)
- 4/23/2021: Deadline for Oppositions to any motions to stay or dismiss based on pendency of cases in other courts as to putative class action complaints by JLI and/or corporate defendants re Private Plaintiffs, Arriaza and Montelaro (Second Wave)
- 4/23/2021: Deadline for Oppositions to any motions to stay or motions to dismiss based on the pendency of cases in other courts as to putative class actions complaints by individual defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (Second Wave)
- 4/30/2021: Deadline for Oppositions to any motions to stay or dismiss based on pendency of cases in other courts as to putative class action complaints by any individual defendants re Private Plaintiffs, Arriaza and Montelaro (Second Wave)
- 4/30/2021: Deadline for Replies ISO any motions to stay or dismiss based on pendency of cases in other courts as to putative class action complaints by JLI and/or corporate defendants re Private Plaintiffs, Arriaza and Montelaro (Second Wave)
- 4/30/2021: Deadline for Replies ISO Demurrers and all Motions by individual defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (First Wave)
- 4/30/2021: Deadline for Replies ISO any motions to stay or motions to dismiss based on the pendency of cases in other courts as to putative class actions complaints by JLI and/or corporate defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (Second Wave)
- 5/6/2021: Deadline for Replies ISO Demurrers and all Motions by any individual defendants re Private Plaintiffs, Arriaza and Montelaro (First Wave)
- 5/7/2021: Deadline for Replies ISO any motions to stay or dismiss based on pendency of cases in other courts as to putative class action complaints by any individual defendants re Private Plaintiffs, Arriaza and Montelaro (Second Wave)
- 5/7/2021: Deadline for Replies ISO any motions to stay or motions to dismiss by individual defendants re Public Entity Plaintiffs, Grossmont and San Diego OOE (Second Wave)
- 6/2/2021: Deadline for Joint Status Report
- 6/9/2021: Further Status Conference and Hearing on Motions to Stay or Dismiss (First and Second Wave)

Trial Date: N/A

7. State Court Actions

Case Name: *City of Chicago, a municipal corporation v. Juul Labs, Inc., Leah Mol, Inc. d/b/a Rog Mobil, 2550 Pulaski Business, Inc. d/b/a Mobil, 4901 Central Inc. d/b/a Shell, T and M Gas, Inc. d/b/a Shell, and Irving Shell Gas and Food, Inc.*

Case Number: 2020-CH-4183

Jurisdiction: Circuit Court of Cook County, IL

Judge/Magistrate: Hon. Allen Walker

Plaintiffs: City of Chicago, a municipal corporation

Defendants: Juul Labs, Inc., Leah Mol, Inc. d/b/a Rog Mobil, 2550 Pulaski Business, Inc. d/b/a Mobil, 4901 Central Inc. d/b/a Shell, T and M Gas, Inc. d/b/a Shell, and Irving Shell Gas and Food, Inc.

Pending Motions: Juul Labs, Inc.'s Motion to Dismiss

Hearing Date(s): 3/30/2021 MTD Presentment Hearing

Case Schedule:

- 4/9/2021: Status Conference re Defendant 4901 Central Inc.'s Motion to Stay or for Extension of Time
- 5/11/2021: Case Management Conference

Trial Date: N/A

Case Name: *Cherokee Nation v. Juul Labs, Inc. et al.*

Case Number: CJ-20-114

Jurisdiction: District Court of Sequoyah County, State of Oklahoma

Judge: Hon. Jeff Payton

Plaintiff: The Cherokee Nation

Defendants: Juul Labs, Inc., Mother Murphy's Labs, Inc., Alternative Ingredients, Inc., Tobacco Technology, Inc., eLiquitech, Inc., McLane Company, Inc. Eby-Brown Company, LLC, Core-Mark Holding Company, Inc., Circle K Stores Inc., Walmart, Walgreen Boots Alliance, Inc., GPM Investments, Inc., Casey's General Stores, Inc., Murphy USA, Inc., QuikTrip Corporation, Kum & Go, Inc., Pete's of Erie, Inc., and Pilot Travel Centers LLC d/b/a Pilot Flying J

Pending Motions: Defendants' Motions to Dismiss

Hearing Date(s): 4/12/2021 Hearing on Defendants' Motions to Dismiss

Case Schedule:

- 4/7/2021: Defendants' Replies ISO their MTDs

Trial Date: N/A